Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

overruled in many of the states. See *Seward* v. *Jackson,* 8 Cow. 406; *Babcock* v. *Eckler,* 24 N. Y. 623; *Wilson* v. *Kohlheim,* 46 Miss. 346; *Hoffman* v. *Nolte,* 127 Mo. 120. These courts have taken a broader view of such a transaction on the ground that considerations of morality or public interest do not require a man to refrain from any gift which promptings of generosity or of social duty may lead him to make when entirely solvent merely because of some outstanding debts. This is the view taken by most of the courts at the present time. In the principal case the Alabama rule as to voluntary conveyances was recognized, but was not applied for the reason that it appeared from the evidence that the conveyance was for a valuable consideration and no proof of intent to defraud creditors was made.

HOMESTEAD—WHEN LIABLE FOR DEBTS.—One West had made final proof of his claim to a federal homestead, but had not received a patent. Plaintiffs, judgment creditors of West, on a note made after final proof, sought to subject the homestead to payment of the judgment. Rev. St. § 2296 (U. S. Comp. St. 1901, p. 1398), provides that no homestead lands shall become liable to the satisfaction of any debt contracted prior to the issuing of the patent therefor. From judgment for defendant plaintiffs appealed. *Held,* the statute exempted the homestead until patent issued. *Sprinkle et al.* v. *West* (1911), — Wash. —, 114 Pac. 430.

In a few states the courts regard the federal law above cited as applying only until the homesteader's *right to* a patent has become absolute, not until he actually receives the patent. *Struby-Estabrook Mercantile Co.* v. *Davis,* 18 Colo. 93, 31 Pac. 495, 36 Am. St. Rep. 266; *Leonard* v. *Ross,* 23 Kan. 292; *Johnson* v. *Borin,* 7 Kan. App. 369, 54 Pac. 804; *Flanagan* v. *Forsythe,* 6 Okl. 225, 50 Pac. 152 (TARSNEY, J., dissenting vigorously). But the position taken by the Washington court is supported by the decisions of a majority of the courts in which the question has arisen. *In re Cohn,* 171 Fed. 568; *Barnard* v. *Boller,* 105 Cal. 219, 38 Pac. 728; *Schultz* v. *Levy,* 33 Or. 373, 54 Pac. 184; *Dickerson* v. *Bridges,* 147 Mo. 235, 48 S. W. 825. Considering the language of the act, this would seem to be the sounder view; and the fact that in the "timber culture" laws (U. S. Comp. St. 1901, p. 1535) exemption from debts "contracted prior to the issuance of the receiver's certificate" was provided for would seem to indicate that Congress meant exactly what it said in the act here considered. The contrary view is based on the theory that the patent, when issued, relates back to the time of the certificate. *Mercantile Co.* v. *Davis,* supra. This argument is answered thus by courts *contra*: The rule applies only in respect to *title,* not to exemption from debts; and "it is not for the courts to overrule its [*Congress'*] conclusions by a technical rule of construction." *Wallowa Nat. Bank* v. *Riley,* 29 Or. 289, 45 Pac. 766, 54 Am. St. Rep. 794.

HUSBAND AND WIFE—EXCEPTION TO PRESUMPTION OF COERCION—HOUSE OF ILL FAME.—Defendants were jointly indicted for keeping a house of ill fame and, as they were husband and wife, counsel argued that there existed a presumption that what the wife did was by the coercion of her husband and that, for this reason, she should be acquitted. *Held,* that although such a pre-